

# Notice of Allowability

Application No.

10/630,048

Examiner

Nitin C. Patel

Applicant(s)

ROMMELMANN ET AL.

Art Unit

2116

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 22 December 2006.
2. ☒ The allowed claim(s) is/are 1 - 18, and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 8/10/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 1/18/07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

1. This is in responsive to amendment filed on 22 December 2006.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 10 August 2006 was filed after the mailing date of the first office action on 27 June 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Terminal Disclaimer***

3. The terminal disclaimer filed on 22 December 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on pending applications numbers 10/447,737, and 10/630076 has been reviewed and is accepted. The terminal disclaimer has been recorded.
4. Claims 1 – 18, and 20 are allowed after examiner's amendment as below.

**EXAMINER'S AMENDMENT**

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Christopher D. Wait [reg. # 43,230] on 18 January 2007, to incorporate the

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argued elements of independent claim 1 in the independent claims 7, and 16, and to cancel the claim 19.

The application has been amended as follows:

6. Please amend the claims 7, 16, and 19 – 20 as follows:

In claim 7:

On line 8, after the word “wireless interface” insert the line of words ---to find if the one time programmable serial region is either initially blank or as containing an identification number---

In claim 16:

On line 6, after the word “serial region” insert the line of words ---provided as initially blank for writing a machine identifier of that first machine into which the software operations key is installed---- find if the one time programmable serial region is either initially blank or as containing an identification number---

In claim 19:

Please cancel the claim 19.

In claim 20:

On line 1, after the word “ key of claim” please replace the number “19” with.---  
16---

### ***Reasons For Allowance***

7. With respect to claims 1, 7, and 16, in view of applicant’s arguments prior art fails to disclose or suggest “reading via wireless interface the programmable serial region of the memory and if found blank, initializing with a machine identification number”,

"wireless interface to find if the one time programmable serial region is either initially blank or as containing an identification number" and "wireless interface and memory having one time programmable serial region provided as initially blank for writing a machine identifier of that first machine into which the software operations key is installed" as described in the claims 1, 7, and 16 respectively. Claims 2 – 6, 8 – 15, 17 – 18 and 20 depend from claims 1, 7 and 16 respectively, and likewise are allowable.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 571-272-3675. The examiner can normally be reached on 6:30 am - 5:00 pm.

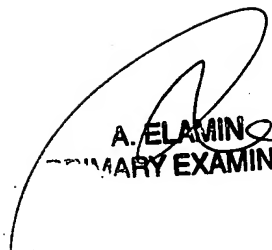
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Nitin C. Patel  
31 January 2007

  
A. ELAMIN  
PRIMARY EXAMINER